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WATER RIGHTS  
SALT LAKE

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IN THE DISTRICT COURT OF THE EIGHTH JUDICIAL DISTRICT  
IN AND FOR DUCHESNE COUNTY, STATE OF UTAH

IN THE MATTER OF THE GENERAL )  
DETERMINATION OF ALL THE RIGHTS )  
TO THE USE OF WATER, BOTH SUR- )  
FACE AND UNDERGROUND, WITHIN )  
THE DRAINAGE AREA OF THE UINTA )  
BASIN IN UTAH. )

ORDER

Civil No. 3070

On March 22, 1989, the Utah State Engineer moved the Court for an Order of Distribution on the Duchesne River System for the 1989 irrigation season. Protests to the proposed Distribution Order were filed by the Uintah Basin Irrigation Company and Guy L. Taylor, Naomi Taylor, Brad N. Taylor, Ben Mitchell and Eldora Mitchell, on March 24, 1989, and April 15, 1989, respectively.

The State Engineer and the above-named Protestants have now entered into a Stipulation resolving their differences on the proposed 1989 Distribution Order. The Court, having considered said Stipulation, having reviewed the file in this matter, and being otherwise fully informed in the premises, therefore, it is hereby ORDERED that:

1. The Duchesne River Commissioner is to distribute the waters of the Duchesne River System according to the Distribution Schedule prepared by the State Engineer (attached hereto as Exhibit "A"), effective May 21, 1989, and continuing through the remainder of the 1989 irrigation season. Prior to May 21, 1989, water will be delivered based on the respective priorities on the River.

2. Any water diverted by or delivered to water users prior to May 21, 1989, shall not be calculated into the total annual diversions allowed under the Distribution Schedule.

3. This Order is made and entered without prejudice to the claims or assertions of any of the parties in any subsequent proceedings in this action, and does not constitute a final determination by this Court on the rights of the parties or the final duty of water from this source.

DATED this 16th day of May, 1989.

BY THE COURT:


  
DENNIS L. DRANEY, DISTRICT JUDGE

EXHIBIT "A"

## Proposed Delivery Schedule for Zone I\* Duchesne River

May 10 - October 15, 4.0 Acre-Feet per acre.

PERIOD		DUTY		DELIVERY	
Date	No. Days	CFS/Acres	Ac. Ft. Day	Ac. Ft. Period	Accum. Ac. Ft.
(1)	(2)	(3)	(4)	(5)	(6)
May 10-15	6	1/80	0.02480	0.149	0.15
May 16-31	16	1/55	0.03606	0.577	0.73
June 1-15	15	1/55	0.03606	0.541	1.27
June 16-30	15	1/60	0.03306	0.496	1.77
July 1-15	15	1/70	0.02834	0.425	2.20
July 16-31	16	1/80	0.02479	0.397	2.60
Aug. 1-15	15	1/80	0.02479	0.372	2.97
Aug. 16-31	16	1/85	0.02333	0.373	3.34
Sept. 1-15	15	1/100	0.01983	0.298	3.64
Sept. 16-30	15	1/150	0.01322	0.198	3.84
Oct. 1-15	15	1/200	0.00991	0.149	3.99

\*Zone I includes the lands irrigated between the headwaters of the Duchesne River and the confluence of Rock Creek with the Duchesne River.

Proposed Delivery Schedule for Zone II\* Duchesne River,  
April 20 - October 15, at 4.0 Acre-Feet per acre.

PERIOD		DUTY		DELIVERY	
Date	No. Days	CFS/Acres	Ac.Ft. Day	Ac. Ft. Period	Accum. Ac. Ft.
(1)	(2)	(3)	(4)	(5)	(6)
Apr. 20-30	11	1/145	0.01368	0.150	0.15
May 1-15	15	1/100	0.01983	0.298	0.45
May 16-31	16	1/85	0.02333	0.373	0.82
June 1-15	15	1/60	0.03306	0.496	1.32
June 16-30	15	1/65	0.03051	0.458	1.78
July 1-15	15	1/70	0.02834	0.425	2.21
July 16-31	16	1/80	0.02479	0.397	2.61
Aug. 1-15	15	1/80	0.02479	0.373	2.98
Aug. 16-31	16	1/85	0.02333	0.373	3.35
Sept. 1-15	15	1/100	0.01983	0.298	3.65
Sept. 16-30	15	1/150	0.01322	0.198	3.85
Oct. 1-15	15	1/200	0.00991	0.149	4.00

\*Zone II includes the lands irrigated between the confluence of Rock Creek with the Duchesne River and the confluence of the Strawberry River with the Duchesne River.

Proposed Delivery Schedule for Zone III\* Duchesne River

April 1 - October 15, at 4.0 Acre-Feet per Acre

PERIOD		DUTY		DELIVERY	
Date	No. Days	CFS/Acres	Ac. Ft./ Day	Ac. Ft./ Period	Accum. Ac.Ft.
(1)	(2)	(3)	(4)	(5)	(6)
April 1-15	15	1/160	0.01240	0.186	0.186
April 16-30	15	1/160	0.01240	0.186	0.372
May 1-10	10	1/125	0.01587	0.159	0.531
May 11-20	10	1/90	0.02204	0.220	0.751
May 21-31	11	1/80	0.02479	0.273	1.024
June 1-10	10	1/70	0.02834	0.283	1.307
June 11-20	10	1/70	0.02834	0.283	1.590
June 21-30	10	1/75	0.02645	0.265	1.855
July 1-10	10	1/75	0.02645	0.265	2.120
July 11-20	10	1/80	0.02479	0.248	2.368
July 21-31	11	1/80	0.02479	0.273	2.641
Aug. 1-15	15	1/80	0.02479	0.372	3.013
Aug. 16-31	16	1/85	0.02333	0.373	3.386
Sept. 1-15	15	1/100	0.01983	0.297	3.683
Sept. 16-30	15	1/150	0.01322	0.198	3.881
Oct. 1-15	15	1/250	0.00793	0.119	4.000

\*Zone III includes all the lands irrigated below the confluence of the Strawberry River with the Duchesne River.